



---

## **Charter Schools Procedure (SLT-P003)**

Clarksville-Montgomery County School System

---

### **1.0 SCOPE:**

- 1.1 This procedure applies to the approval/denial process of a charter school seeking local board of education approval.

The online version of this procedure is official. Therefore, all printed versions of this document are unofficial copies.

### **2.0 RESPONSIBILITY:**

- 2.1 Director of Schools

### **3.0 APPROVAL AUTHORITY:**

- 3.1 CMCSS School Board
- 3.2 Charter School Review Team

### **4.0 DEFINITIONS:**

- 4.1 CMCSS-Clarksville-Montgomery County School System
- 4.2 Charter School – a school that shall operate as a public, nonsectarian, nonreligious public school, with control of instruction vested in the governing body of the school under the general supervision of the authorizer and in compliance with the charter agreement. A public charter school shall be subject to all state and federal laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.
- 4.3 Authorizer – the local board of education or local education agency (LEA).

### **5.0 PROCEDURE:**

#### **5.1 Application Requirements**

- 5.1.1 A prospective charter school sponsor shall submit a letter of intent to operate a charter school at least 60 days prior to application deadline.
  - 5.1.1.1 The letter must be delivered to the local education agency (LEA) and the Tennessee Department of Education.
- 5.1.2 Application for a Public Charter School (State Form) must be submitted to the LEA and Tennessee Department of Education on or before February 1 before 4:30 p.m. of the year preceding the year in which the proposed charter school plans to begin operation as a public charter school. The sponsor shall pay an application fee of \$2,500.00. The charter school applicant will provide five (5) paper copies of the application, in addition to the electronic version. Late applications will not be accepted.
  - 5.1.2.1 If the 1<sup>st</sup> of February falls on a Saturday, Sunday or holiday on which the school district offices are closed, applications shall be due on the next business day district offices are open on or before 4:30 p.m.



---

## **Charter Schools Procedure (SLT-P003)**

Clarksville-Montgomery County School System

---

- 5.1.3 Director appointed Charter School Review Team will evaluate the application. The review team shall:
  - 5.1.3.1 Evaluate all charter school applications based on the review criteria adopted by the Board;
  - 5.1.3.2 Recommend one of the following options to the Board for each application: approve, or deny;
  - 5.1.3.3 Monitor charter school progress; and
  - 5.1.3.4 Make recommendations for revocation, renewal, or non-renewal of charter contracts.
- 5.1.4 The Board shall rule by resolution on the approval or denial of a charter application within ninety (90) days of receipt of the completed application or the application shall be deemed approved by law.

### **5.2 Approval**

- 5.2.1 The sponsor of a charter school that is approved by the Board shall enter into a written agreement with the Board which shall be binding on the charter school's governing body. The charter agreement must be in writing and must contain all materials components of the approved application, pursuant to T.C.A. 49-13-107(b).
- 5.2.2 The Board will receive an annual authorizer fee of three percent (3%) of the annual per student state and local allocations or thirty-five thousand dollars (\$35,000), whichever is less.
- 5.2.3 Charter schools approved by the Board are expected to implement the application as submitted and approved. Material variations in operations from the approved application require amendment pursuant to state law and the charter school agreement. Material violations are defined in State Board Rule 0520-14-01-.06.
- 5.2.4 The Board shall not provide services to charter schools that are not requested during the application process except for those services that are required by state or federal law. Services agreed to be provided to the charter school by the Board shall be provided at board actual cost. The Board and the charter school shall execute a service contract for any additional services.
- 5.2.5 Approved charter agreements expire ten (10) years after the first day of instruction. The charter school may delay its opening for a period not to exceed one (1) academic year. A charter school must obtain permission from the Board for any further delays.
- 5.2.6 Within ten (10) days of approving or denying a charter application, the Board shall report to the department of education whether it has approved or denied the application. The authorizer shall provide the department a copy of the chartering authority's resolution setting forth the action taken and reasons for the decision.



## **Charter Schools Procedure (SLT-P003)**

Clarksville-Montgomery County School System

---

### **5.3 Denial**

- 5.3.1 The grounds upon which the local board of education based a decision to deny a public charter school application must be stated in writing, specifying objective reasons for the denial.
- 5.3.2 Within ten (10) days of approving or denying a charter application, the Board shall report to the department of education whether it has approved or denied the application. The authorizer shall provide the department a copy of the chartering authority's resolution setting forth the action taken and reasons for the decision.
- 5.3.3 Upon receipt of the grounds for denial, the sponsor shall have thirty (30) days to submit an amended application to correct the deficiencies.
  - 5.3.3.1 The local board of education shall have sixty (60) days either to deny or to approve the amended application.
  - 5.3.3.2 Should the local board of education fail to either approve or deny the amended application within sixty (60) days, the amended application shall be deemed approved.
  - 5.3.3.3 If the local board of education denies the amended application, it shall provide the sponsor the grounds for denial in writing within five (5) calendar days of the date of the decision to deny, specifying objective reasons for the denial.
- 5.3.4 A denial by the local board of education of an application to establish a public charter school may be appealed by the sponsor, within ten (10) days of the final decision to deny, to the Tennessee Charter School Commission. The appeal and review process shall be in accordance with T.C.A. §49-13-108(b)(5).

### **5.4 Charter Governance and Oversight**

- 5.4.1 Each charter school shall have a governing body that will not be the Board of Education. At least one (1) member of this governing body shall be a parent of a student in the charter school.
- 5.4.2 Charter schools are expected to abide by all provisions pursuant to T.C.A. § 49-13-111. It will be the responsibility of the Board to enforce those provisions in state law.
- 5.4.3 Charter schools shall conduct an initial student application period of at least thirty (30) days for all eligible students. A charter school shall not exclude students from enrollment based on race, color, ethnicity, national origin, religion, income level, disability, proficiency in the English language, or academic ability. Charter schools shall enroll eligible students who submit timely applications unless the number of applications exceeds the capacity of a program, class, grade level, or building.
- 5.4.4 In the event the number of applications does not exceed the school's capacity at the end of the initial student application period, enrollment may proceed on a first



---

## **Charter Schools Procedure (SLT-P003)**

Clarksville-Montgomery County School System

---

come, first served basis. If the number of applications exceeds the school's capacity at the end of the initial student application period, then enrollment shall be determined on the basis of a lottery within thirty (30) calendar days of the close of the application period.

- 5.4.5 A charter school may allow for some enrollment preferences pursuant to those listed in State Board Rule 0520-14-01-.04.
- 5.4.6 The Board shall oversee and annually evaluate charter schools to ensure they meet the performance standards and targets set forth in the charter school agreement. The Board shall create a comprehensive performance, accountability, and compliance monitoring system based on the charter school agreement and communicate the results to each charter school. At a minimum, the monitoring system shall address academic, financial, and organizational performance standards as outlined in the charter school agreement and required by the State Board of Education. The Board shall utilize the results when making renewal, revocation, and intervention decisions.
- 5.4.7 The Board shall communicate with the charter schools in its portfolio as needed, including both the charter school leader and governing board, and provide timely notice of any material charter school agreement violations and performance deficiencies.
- 5.4.8 The Board shall articulate and enforce stated consequences for failing to meet performance expectations or compliance requirements.
- 5.4.9 A site visit to each charter school shall be conducted annually. The purpose shall be to collect data and other qualitative information that cannot be obtained otherwise. The Director of Schools shall develop a site visit procedure that outlines the expectations of charter schools prior to, during, and after the site visit, including review of the documents and data, classroom observations, and interviews. These visits shall minimize operational interference. The Board shall provide the charter school with a report that summarizes the charter school's performance. The report shall provide an analysis of relevant data and include general recommendations, if applicable.

### **5.5 Reporting**

State law outlines required reporting for charter schools operating in Tennessee and their authorizers:

- 5.5.1 Each charter school governing body shall complete an annual audit of all accounts and records, to include internal school activity and cafeteria funds, and file a copy of the audit to the Board, the Commissioner of the Department of Education, and Comptroller of the Treasury as soon as practical after June 30.
- 5.5.2 The governing body of the public charter school shall make an annual progress report to the Board and the Commissioner of Education by September 1. The report must contain the following information:



---

## **Charter Schools Procedure (SLT-P003)**

Clarksville-Montgomery County School System

---

- 5.5.2.1 A report on the progress of the charter school in achieving the goals outlined in the charter school agreement;
  - 5.5.2.2 A financial statement disclosing the financial health of the charter school, including the costs of the administration, instruction, and other spending categories of the charter school; and
  - 5.5.2.3 A detailed accounting, including the amounts and sources, of all funds received by the charter school, other than the funds received per state law.
- 5.5.3 Charter schools shall provide the information required by the charter school agreement and state law to the Board. The Director of Schools shall develop a reporting calendar that defines and communicates the process, methods, and timing of gathering and reporting data to the Board.
- 5.5.4 This reporting requirement shall begin in the year after the year in which the charter school begins operation.
- 5.5.5 By December 1, the Board shall report to the Department of Education detailing the authorizer fees collected in the previous school year and the authorizing obligations fulfilled using the fee. By January 1, the Board shall submit an annual authorizer report to the Department of Education and the State Board of Education. The Director of Schools shall prepare the reports and provide the information to the Board prior to submission.

### **5.6 Renewal/Non-renewal**

- 5.6.1 Any school that seeks renewal from the chartering authority shall submit a renewal application in accordance with T.C.A. §49-13-121 and any charter renewal guidance issued by the State Board or Department of Education. A charter school may choose not to submit a renewal application, in which case the charter school will close at the end of its current term.
- 5.6.2 The deadline for the submission of all renewal applications is no later than April 1 of the year prior to the year in which the charter expires. Three months prior to the date on which a public charter school is required to submit a renewal application, the authorizer shall submit to the public charter school a performance report that reflects the renewal evaluation. The Director of Schools/designee may also conduct a renewal evaluation site visit that submits a charter school renewal application. The Board shall make renewal decisions by February 1 in the year the charter school agreement expires.
- 5.6.3 The renewal application will provide a school with the opportunity to:
  - 5.6.3.1 make a clear and compelling case for renewal, respond to its cumulative performance report, and to submit any corrections or clarifications for the report;



---

## **Charter Schools Procedure (SLT-P003)**

Clarksville-Montgomery County School System

---

5.6.3.2 present evidence supporting its case for charter renewal that is aligned with the State Board's renewal standards and the charter school's performance standards in the charter contract; and

5.6.3.3 present its plan for the next charter term.

### **5.7 Revocation**

5.7.1 The Board may revoke a charter school agreement if the charter school receives identification as a priority school, as defined by the state's accountability system. The revocation shall take effect immediately following the close of the school year in which the public charter school is identified as a priority school. If the Board chooses not to revoke the charter agreement, then the charter school shall develop and implement a comprehensive support and improvement plan. Such a revocation is final and not subject to appeal.

5.7.2 The Board must revoke a charter school agreement if the charter school receives priority identification for two consecutive cycles. Such a revocation is final and not subject to appeal.

5.7.3 The Board may also revoke a charter school agreement if the charter school fails to meet the minimum performance requirements set forth in the charter agreement, or if the Board determines that the school:

5.7.3.1 Committed a material violation of any conditions, standards, or procedures set forth in the charter agreement;

5.7.3.2 Failed to meet or make sufficient progress toward the performance expectations set forth in the charter agreement; or,

5.7.3.3 Failed to meet generally accepted standards of fiscal management.

5.7.4 In the event of a revocation pursuant to section 5.7.3, the decision may be appealed to the Tennessee Charter School Commission no later than ten (10) days after the date of the decision. No later than sixty (60) days after the commission receives notice of the appeal and after reasonable public notice, the commission shall hold an open meeting in the LEA to conduct an on the record review of the Board's decision.

5.7.5 The Director of Schools/designee shall develop procedures regarding charter school closures prior to the Board denying renewal or revoking a charter school agreement.

5.7.6 Thirty (30) days prior to any decision by the Board to revoke a charter agreement, the Board shall notify the charter school in writing of the possibility for revocation and the reasons for a possible revocation.

5.7.7 If the Board decides to revoke a charter agreement, the Board shall state clearly, in writing, the reasons for a revocation. The Board shall report this decision to the



**Charter Schools Procedure  
(SLT-P003)**

Clarksville-Montgomery County School System

Department of Education with a copy of the resolution that sets forth its decision and the reasons for that decision.

**6.0 ASSOCIATED DOCUMENTS:**

**7.0 RECORD RETENTION TABLE:**

<u>Identification</u>	<u>Storage</u>	<u>Retention</u>	<u>Disposition</u>	<u>Protection</u>
Charter Agreement	Board Secretary Office	10 years	Shred	Filing cabinet, or electronic backup on a secure drive.
Approval/Denial Letter	Board Secretary Office	10 years	Shred	Filing cabinet, or electronic backup on a secure drive.

**8.0 REVISION HISTORY:**

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
11/30/21		Initial Release
3/30/22	A	Made changes to 5.1.3.2 to reflect correction of an error in the options available to the review committee to recommend to the Board for final vote.

**\*\*\* End of Procedure \*\*\***